

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ELECTRICAL WORKERS PENSION TRUST
FUND OF LOCAL UNION #58, IBEW; *et al*,

Plaintiffs

v

JMC ELECTRICAL CONTRACTOR, LLC

Defendant.

Case No. 24-10375

Hon. Gershwin A. Drain

ORDER FOR EXAMINATION OF JUDGMENT DEBTOR,
FOR PRODUCTION OF CERTAIN BOOKS, RECORDS
AND DOCUMENTS, AND RESTRAINING TRANSFER OF
CERTAIN PROPERTY SUPPLEMENTARY TO JUDGMENT

Mashell Carissimi

THIS MATTER having come before this Court on Plaintiffs' Ex-Parte Motion for Examination of Judgment Debtor, for Production of Certain Books, Records and Documents, and Restraining Transfer of Certain Property Supplementary to Judgment, and said motion having been duly filed along with a supporting Affidavit and Brief, and the Court having reviewed the same and being fully advised in the premises;

NOW THEREFORE;

IT IS HEREBY ORDERED that Mashell Carissimi ("Deponent"), for and on behalf of Defendant JMC Electrical Contractor, LLC ("Defendant"), whose

registered office is located at 33651 Giftos, Clinton Township, Michigan 48035, shall appear for a judgment debtor examination on **Tuesday, July 9, 2024 at 10:30 a.m.** The judgment debtor examination will be held at the law offices of Maddin Hauser Roth & Heller, PC, One Towne Square, Fifth Floor, Southfield, Michigan 48076 before an officer duly authorized to administer oaths, and be stenographically recorded and conducted in accordance with the Federal Rules of Civil Procedure. Deponent will be examined under oath concerning the income, property, or other means of satisfying the Judgment entered herein against Defendant on May 8, 2024 [ECF No. 10].

IT IS FURTHER ORDERED that Deponent shall bring with her the following books, records, and papers in Defendant's possession, custody or control as they relate to Defendant JMC Electrical Contractor, LLC:

1. All checkbooks, check registers, check stubs, canceled checks, bank statements and other documents whatsoever relating to any deposit, savings, passbook or like account maintained with a bank, savings and loan association, credit union or like organization, in which Defendant has, or has had, any interest, at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;

2. Copies of all returns, schedules and forms filed by or on behalf of Defendant with the Internal Revenue Service, State of Michigan, and any municipal

governments, relating to any income received, property owned, business activities, sale or intangibles tax, of Defendant at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;

3. All books of account and accounts receivable ledgers;

4. List of assets and liabilities;

5. All contracts of purchase, sale, bills of sale, certificates of title and deeds, and all other evidences of title or instruments of whatsoever kind or nature, relating to the purchase, sale or ownership of any property, real or personal, or any interest therein, purchased, sold or owned by, or on behalf of, Defendant at any and all times during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;

6. Copies of all profit and loss statements and balance sheets relating to the affairs of Defendant prepared by, or on behalf of, said Defendant at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier; and

7. Any and all records regarding any sale or transfer of any assets of Defendant to any person or entity, including, but not limited to, Fortified Power and Security, LLC, within the last (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier.

IT IS FURTHER ORDERED that said Defendant, JMC Electrical Contractor, LLC, and any members, directors, employees and agents, and any third party who is served with a true and entered copy of this Order, are restrained from transferring or disposing of any property of Defendant, whether now owned, or hereafter acquired by, or becoming due to Defendant, until further order of this Court. This order does not apply to property exempt by law from application to the satisfaction of the judgment.

SO ORDERED.

Dated: June 21, 2024

/s/Gershwin A. Drain
GERSHWIN A. DRAIN
United States District Judge

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
June 21, 2024, by electronic and/or ordinary mail.

/s/ Marlena Williams
Case Manager